UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/1990/5/Add.13
28 April 1993

ENGLISH
Original: FRENCH

Substantive session of 1993

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

MOROCCO

[16 March 1993]

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INTRODUCTION

1. Morocco ratified the International Covenant on Economic, Social and Political Rights on 3 May 1979. In accordance with articles 16 and 17 of the Covenant, the Government of Morocco submits below its report on the measures adopted and the progress made regarding implementation of the provisions of the Covenant.

2. In submitting its initial report on the International Covenant on Economic, Social and Political Rights, the Government of Morocco would like to clarify that the national departments concerned were unable to submit periodic reports in accordance with the timetable laid down by the Committee because of the difficulties occasioned by lack of manpower and material resources. Consequently, the present report relates to all the articles of the Covenant, as indicated in the revised general guidelines, and covers the period from the date of entry into force up to 1993.

Article 1: The right to self-determination

(1) Domestic dimension of the principle

3. The right of peoples to self-determination, by virtue of which they freely choose a suitable system and models for economic, social and cultural development, is without question a sacred, inalienable and imprescriptible human right. This right, reflected in Articles 1 and 55 of the Charter of the United Nations, is guaranteed in Morocco. The Moroccan Constitution, adopted by referendum on 1 March 1972 and promulgated on 10 March of that year, is highly instructive in this respect, in particular its articles 1, 2 and 3, which lay the foundations of the Moroccan political system. It enshrines the democratic principles of national sovereignty, the legitimacy of those who govern and the representation of citizens. These principles were confirmed by the revision of the Constitution adopted by referendum on 4 September 1992.

4. The right to self-determination has been exercised throughout the recent history of the Kingdom by various acts that give expression to the freely expressed choice of Moroccans. The following may be instanced purely by way of illustration:

The signing on 11 January 1944 of the Manifesto of Independence by a considerable number of political leaders, in which they were supported by the entire people;

The advent of independence in 1956 and the progressive recovery of Moroccan territories remaining under foreign domination;

The successive adoption by the Moroccan people of three Constitutions by referendum (in 1962, 1970 and 1972) and of the revised Constitution on 4 September 1992;

The "Baia", a declaration of allegiance made every year by representatives of the people to the King of Morocco, on the occasion of the celebration of the throne on 3 March;

The election every six years of the House of Representatives (the Moroccan Parliament) and the communal councils of the local communities;

The consultation of the Moroccan people by referendum, whenever the need is felt.

(2) International dimension of the principle

5. Morocco has always been a stalwart defender of the principle of the right of peoples to self-determination and one of the promoters of its application to those countries remaining under foreign domination, particularly in Africa and Asia. The role played by Morocco in the preparation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and its adoption by the United Nations General Assembly on 14 December 1960 (resolution 1514 (XV)) should here be recalled. Unreserved support for the struggle of genuine national liberation movements has always been a feature of the foreign policy of the Kingdom of Morocco.

6. Morocco has also signed various multilateral legal instruments adopted by the United Nations General Assembly: resolutions 1541 (XV) of 15 December 1960 and 2625 (XXV) of 24 October 1970, which reflect fundamental aspects of the political, economic and social content of the right to self-determination; resolution 1803 (XVII) of 14 December 1962 on "Permanent sovereignty over natural resources"; the Declaration on Social Progress and Development, adopted by resolution 2542 (XXIV) of 11 December 1969; and the Declaration on the Right to Development, adopted by resolution 41/128 of 4 December 1986.

7. Lastly, it is appropriate to recall that the Moroccan Royal Academy devoted its session held at Marrakesh from 25 to 27 October 1984 to considering the contents and scope of this principle.

Article 2: Economic, social and cultural rights

8. Despite the limited resources at its disposal, Morocco has undertaken to act on its own and through international cooperation and assistance with a view to progressively ensuring the full exercise of economic, social and cultural rights.

9. In December 1991 His Majesty the King instructed the Consultative Council for Human Rights to direct its attention to economic and social rights. His Majesty stated: "There clearly are human rights, but there are also other rights which ought to be examined, even if they are not represented in other bodies, because they are among human rights. What are concerned here are social rights, the minimum economic level and any right of a kind to make the Moroccan citizen a worthy man in full enjoyment of his liberties ... Our Council must work to guarantee the dignity of every Moroccan at the social and economic level".

10. Having regard to the great importance that Morocco attaches to these rights and convinced that the full development of the individual and of society is possible only through the participation of all parties concerned in the general lines of the national economy and in the country's social

and economic strategies, the Kingdom of Morocco has provided itself with an Economic and Social Council. Article 91 of the revised Constitution of 4 September 1992 states that "an Economic and Social Council is instituted" and article 92 states that "the Economic and Social Council may be consulted by the Government and by the House of Representatives on all matters of an economic or social nature. It gives its opinion on the general trends of the national economy and education". Its composition, which will be determined by an organizational law, will have to reflect very broad representation of all parties concerned with the economic and social spheres and education.

11. More recently (on 12 February 1993), the Consultative Council on Human Rights, in a memorandum addressed to His Majesty the King, proposed the setting-up of a working party on economic, social and cultural rights. This working party will meet every two months and whenever necessary. Regulatory and administrative legislation has been adopted to protect these rights and promote their full exercise. The exercise of these rights is guaranteed by the law without any discrimination on grounds of race, colour, sex, language, religion, political opinion or any other form of segregation whatsoever.

12. With the exception of political activities, the rights of foreigners are guaranteed by the Constitution on the same footing as those of citizens. Moroccan legislation does not establish any discrimination regarding the exercise of economic, social and cultural rights by non-nationals, provided that they observe the texts in force. The Dahir of 15 November 1958 guarantees the right of association to aliens. Article 23 of the Dahir stipulates that no foreign associations may be established or operate in Morocco without having made the prior declaration required pursuant to article 5.

Article 3: Equal right of men and women to enjoy economic, social and cultural rights

13. In Morocco the economic, social and cultural rights enunciated in the Covenant are enjoyed equally by men and women. Women have the right, under conditions of equality with men, to develop their abilities, to take part in economic and social life, to pursue university studies in all areas and to advance their condition. The Constitution guarantees women this equality of rights. The protection of the economic, social and cultural rights of women is reflected in the labour legislation, commercial law and the code on personal status and succession. The promotion of these rights is also given expression in the practical measures taken by the authorities concerned.

Article 4

14. The Moroccan State has not adopted any provision aimed at limiting the exercise of the rights recognized in the Covenant.

Article 5

15. The Government of Morocco has not adopted any provision aimed at denying the rights or freedoms recognized in the Covenant, or at restricting the exercise of those rights and freedoms, and does not recognize the right of any individual to adopt such provisions.

Article 6: The right to work

(1) The employment situation in Morocco

16. Morocco has ratified ILO Convention No. 122 concerning employment policy and Convention No. 111 concerning discrimination in respect of employment and occupation.

17. Regarding ILO Convention No. 122, the Government of Morocco submitted a report in November 1992 to ILO concerning the measures taken to give effect to the provisions of that Convention, which Morocco ratified on 11 May 1979. The report relates mainly to the results of economic policy in 1991, the employment market in 1991, the general measures taken to confront the situation of the employment market, the measures taken in the sphere of training and the measures taken in the sphere of the employment of young graduates.

18. As regards implementation of ILO Convention No. 111, Morocco submitted a report to ILO at the end of 1992, the introduction to which set out the provisions on discrimination in a draft labour code submitted to the Moroccan parliament in May 1992. The report also deals with the regulations of public and semi-public enterprises and secondary schools, and the practices followed in the area of vocational training, considered from the standpoint of non-discrimination.

19. Morocco has ratified the International Convention on the Elimination of All Forms of Racial Discrimination.

20. Employment trends in Morocco have been normal, bearing in mind the various socio-economic factors and the instability in the international environment. Having, like a number of other developing countries, an intermediate economy, Morocco has legitimate ambitions as regards development and growth. For over 15 years those ambitions have been postponed. For lack of resources, medium and long-term objectives have been sacrificed to considerations of short-term financial equilibrium. This strategy of reducing the balance-of-payments deficit and keeping the budget deficit within tolerable limits has had many unfortunate consequences, including a substantial decline in public investment, which has coincided with the aggravation of social problems during the past decade. The previously unknown problem of unemployment among young graduates has grown steadily worse since 1981, leading to the creation of a national body that will be discussed below.

21. The conclusions that may be drawn from the survey of urban employment and unemployment for the period 1984-1989 are as follows. Urban unemployment rose from 322,218 in 1982 to 591,642 by the end of 1989. Annual average growth in urban unemployment between 1984 and 1989 was 4.20 per cent. The average unemployment rate for the same period was of the order of 15 per cent (unemployed urban population as a percentage of the urban labour force). In 1991 and 1992, the urban unemployment rate was around 16 and 17.5 per cent respectively. The rising trend is attributable to population pressure, which is having an enormous effect on the job market. Although, thanks to the

recovery, the Moroccan economy created more than 150,000 jobs in 1990, the unemployment rate remains high. The table below shows the trend in unemployment relative to population growth.

Unemployment rate (urban areas)		Population (millions)	
1987	14.7%	1960	11.6
1988	13.9%	1970	15.3
1989	15.8%	1980	19.4
1990	15.8%	1990	25.1
1991	16%	2000	32
1992	17.5%	2025	48

The gross participation rate, i.e. the proportion of the total urban population, accounted for by the working population, averages 31.20 per cent.

22. Throughout the past decade, the external financial constraints (servicing of imports and the foreign debt) have had priority over everything else, including unemployment problems. Recently, their recognition of the steady deterioration of the social fabric has caused both the Moroccan authorities and the international financial institutions to make some corrections in the order of priorities. The National Council for Youth and the Future was set up early in 1991 and immediately carried out a survey of unemployment among young graduates which revealed the bottlenecks in this respect. All private and public sectors have been alerted to the problem and requested to help in combating the scourge of unemployment.

(2) Measures to promote full employment

(a) Legal measures

23. Article 13 of the Moroccan Constitution provides that all citizens have the right to education and employment. Article 12 provides that all Moroccans have the right of access to public functions and employment.

24. Apart from the Dahir of 2 July 1947 on employment regulations, the texts which have been promulgated to guarantee the right to work and promote its full exercise include the Dahir on the establishment of employment agencies, which lays down that employment is the prerogative of the State and that access to it is free; the Royal Decree of 14 August 1967 concerning the keeping in operation of industrial and commercial enterprises, which prohibits the closure of certain enterprises or the dismissal of their employees without special permission from the competent authorities, and the Dahir of 6 May 1982, which limits the age of retirement and makes it obligatory for employers to replace retired workers by new ones.

25. It should be noted in this regard that Moroccan legislation makes no distinction between men and women and recognizes the principle of equal

opportunity, as embodied in the Dahir of 1975 on equality between the sexes as regards salaries and the Dahir of 1973 on the conditions of employment of agricultural workers.

26. With a view to improving Moroccan labour law and bringing it into line with the socio-economic changes in the country, the Chamber of Representatives (the Moroccan parliament) has been seized since May 1992 of a draft labour code. This draft has been prepared with the participation of the relevant government authorities, professional bodies, employers, workers and ILO. All of them made comments and proposals that were taken into account in finalizing the draft.

27. Among the main aims of the draft are: closer monitoring of the implementation of labour law and strengthening of inspectors' prerogatives; promotion of dialogue between the partners in production, and organization of in-plant industrial apprenticeship schemes. Other provisions relate to labour contracts, collective agreements, working conditions, payment of salaries, trade unions and employee representation within enterprises.

(b) Regulatory and administrative measures

28. Employment is a constant priority in the Moroccan Government's socio-economic policy. As part of its duties, the Ministry of Employment performs various actions aimed at improving working relations, developing the labour market, protecting the acquired rights of Moroccan workers and traders abroad, and broadening social welfare coverage.

29. As regards employment, considerable effort is devoted to expanding the labour market. In 1989, 9,307 jobs were created in industrial and commercial establishments and dock labour officers distributed a total of 140,231 days of work among the various categories of port workers.

30. In keeping with the guidelines of the current master plan for economic and social development, which views employment as a strategic factor of such development, other wide-ranging efforts have also been made to stimulate employment:

Continuation of the mobilization of all sectors to create the maximum number of economically worthwhile jobs. In 1989, this campaign resulted in the creation of a total of 187,469 jobs in various sectors of the economy. In 1990, the Moroccan economy created 150,000 jobs, or 35 per cent of the employment market; the increase was particularly attributable to developments in manufacturing industries;

Lowering of interest rates on bank loans for capital investment;

Institution of business loans for young entrepreneurs;

Introduction of laws to facilitate the rapid integration of graduates in the economic and social framework;

Encouragement of investment in Morocco by Moroccan workers and traders living outside the country;

Revitalization of the provincial and prefectural employment commissions;

Large-scale recruiting of executives by regional authorities (1989, 1990, 1991);

The establishment early in 1991 of the National Council for Youth and the Future, which is an advisory body comprising representatives of all the relevant social partners. The Council is responsible for examining ways and means of resolving the problem of youth unemployment; immediately upon being established, it carried out a general survey of unemployment among young graduates and suggested several ways of resolving this problem.

(3) Training programme

31. The Government of Morocco has taken steps to define a national training strategy with a view to the development and optimum use of the country's human resources. The measures taken or planned take into account the needs of economic growth, the requirements and constraints of the labour market, and the development of science and technology.

32. The total number of persons receiving training in 1989/1990 was quite high: 16,091 people were studying in specialist training schools, 32 per cent of them in scientific disciplines, 23.5 per cent in economic, legal and administrative subjects, and 44 per cent in the arts and education.

33. Vocational training has an important place in the Government's employment policy. The main features of the action taken in this respect in 1988, 1989 and 1990 were as follows: establishment, by a decree of 9 May 1989, of 10 institutes of applied technology; adjustment of training to the needs of the employment market by applying the results of sectoral and regional studies; improvement of the quality of training to meet the needs of the labour market. Thirteen institutes of applied technology and seven vocational training centres were opened at the beginning of the 1989/1990 academic year.

34. These actions have increased the total number of training places available. The private sector is playing an increasingly important role in training; in 1990 it accounted for 32.4 per cent of the total number of trainees. By 1991, Morocco had 1,230 public and private training establishments with a total capacity of the order of 127,000 persons. The number of persons receiving training was 49,392 in 1983/1984 and 122,528 in 1990/1991, representing a total increase of 148 per cent and growth of around 21 per cent a year. The training is provided by 6,460 instructors, most of whom have been recruited since 1985.

35. Further improvements to the vocational training system since 1985 have come through changes in the way the system is administered and instruction provided. These changes have stemmed from the establishment of the Vocational and Executive Training Authority, which is responsible for the planning, orientation, evaluation and promotion of the vocational training system.

36. Adjustment of the system to the socio-economic environment is ensured through a planning mechanism based on regional studies (principally territorial and quantitative) and sectoral studies (principally qualitative).

37. Vocational training is being developed primarily through the following:

Greater involvement of enterprises in training itself (conventional and sandwich training);

Optimization and diversification of sources of financing;

Establishment of a centre for the study of the links between training and employment and of sectoral advisory boards;

Stimulation of the private training sector through the institution of a system of incentives and a certification and approval scheme;

Promotion of continuous training and reform of the associated institutional framework;

Strengthening of the machinery for the placement of graduates.

(4) Equality between men and women as regards employment

38. There are no distinctions, exclusions, restrictions or preferences having as their effect the annulment or alteration of the recognition, enjoyment or exercise of the right to work. The labour legislation (Dahir of 2 July 1947) protects women against all abuses or inequality in this regard.

39. The status of the civil service is governed by the Dahir of 24 February 1958. This Dahir draws on article 12 of the Constitution, which provides that public functions and employment are open to all citizens under the same conditions. The Dahir further guarantees women the same rights as men with respect to recruitment, promotion, etc. Hence, article 1 of the Dahir provides that "all Moroccans are entitled to enter the public service on equal conditions".

40. In practice, there has been considerable growth in the participation of women in economic activity. The proportion of women in the labour force, which was 8.6 per cent in 1978, had risen to 12 per cent by 1985 and to 14 per cent by 1987. In 1991, women constituted 26 per cent of the labour force in urban areas. In addition, women now hold positions in, inter alia, the armed forces, the national police force (464 officers in 1989) and the judiciary (184 judges out of a total of 1,842 in 1989).

Article 7: The right to just and favourable conditions of work

41. Morocco is a party to several ILO conventions: the Equal Remuneration Convention (No. 100); the Weekly Rest (Industry) Convention (No. 14); the Weekly Rest (Commerce and Offices) Convention (No. 106); the Labour Inspection Convention (No. 81) and the Labour Inspection (Agriculture) Convention (No. 129).

42. In connection with the right enshrined in article 7 of the Covenant and with the above-mentioned ILO conventions, Morocco submits reports to the International Labour Organisation. The most recent of these are enumerated below, in chronological order.

43. The following reports were submitted in December 1990:

Report on measures to give effect to the provisions of Convention No. 14, the Weekly Rest (Industry) Convention;

Report regarding Convention No. 106 concerning weekly rest in commerce and offices. This report states that the Convention is, on the whole, properly implemented and that labour inspectors made no special comments concerning its implementation in practice. They did, however, find between 1 July 1988 and 30 June 1990 283 infringements of the laws and regulations concerning weekly rest for employees;

Report concerning Convention No. 81, which deals with increasing the numbers of, and training, labour inspectors;

Report on Convention No. 129, which deals in particular with the duties of labour inspectors in the agricultural sector.

44. In March 1992 reports were submitted to ILO on measures to give effect to the conventions to which Morocco is a party, including Conventions Nos. 81, 100 and 129.

45. The following reports were submitted in November 1992:

Report on Convention No. 129, which deals with the prerogatives of labour inspectors in the agricultural sector, including access to all agricultural undertakings and inspection of work places for compliance with the relevant health and safety standards;

Report on Convention No. 106, which confirms the transmission to ILO of a list of the laws and regulations governing weekly rest in commerce and offices and refers to provisions concerning that topic in the draft code submitted for parliamentary review.

46. Equality of remuneration is a fundamental of Moroccan labour law. In conformity with the Constitution, Moroccan law is free from discrimination between the sexes with regard to remuneration. That fact is borne out by the Dahir of 1975 on the equality of the sexes, the Dahir of 1973 on the conditions of employment of agricultural workers and the Dahir ratifying ILO Convention No. 100 concerning equality between the sexes with respect to remuneration.

47. In addition, and in order to protect workers, the Government's regulatory policy includes the fixing of a minimum industrial wage (SMIG) and a minimum agricultural wage (SMAG). The Government can raise the minimum wage levels if conditions warrant. In the past three years, the minimum wage

has been raised twice, in 1989 (10 per cent) and in 1991 (15 per cent). In 1992, Decree No. 2-92-316, dated 4 May, further increased the minimum wage by 10 per cent with effect from 1 May 1992.

48. In addition, the Dahir of 2 July 1947 concerning working conditions provides that workplaces must meet recognized standards of hygiene and that the requisite measures must be taken to protect workers' health and safety. The same legislation prohibits the use of machinery that constitutes a hazard to workers. It also obliges the users of noxious substances to provide warning signs and information on every package containing such products. Workers' safety and health are protected by both statutes and regulations. The Royal Dahir on occupational medicine makes it obligatory for establishments having more than 50 employees to set up medical services to monitor the employees' health and ensure that they are protected against the dangers associated with their work.

49. Employment law forbids the performance of dangerous work by children and women and provides that precautionary measures must be taken on building sites and against the risks resulting from the use of fuels.

50. In order to monitor the application of labour law, verify observance of workers' rights and settle individual and collective labour disputes, the labour inspectorate makes both regular and request visits to places of employment. In 1989, labour inspectors made a total of 22,608 visits to industrial or commercial establishments, professional premises and agricultural undertakings.

Article 8: Trade union rights

51. Morocco is a party to ILO Convention No. 98, the Right to Organize and Collective Bargaining Convention. It has submitted several reports to ILO in this connection, the most recent of them being:

A report submitted in December 1990 whereby the Moroccan Government informed ILO of the progress made towards adoption of the draft labour code. The Government also informed ILO of the request for prefectural and provincial employment offices to take the necessary measures to encourage the conclusion of collective agreements between the social partners. Such agreements stress the need to respect the principles of the right to organize and to bargain collectively;

A report concerning application of the Convention submitted in March 1992;

A report submitted in October 1992.

52. The October 1992 report enumerates the laws and regulations on the right to organize and to bargain collectively transmitted to ILO. It also summarizes the provisions of the Dahir of 16 July 1957 concerning the organization of, and the freedom to establish, trade unions, pointing out that trade unions may only be dissolved by decision of their members, by a judgement of a competent court or in pursuance of their statutes.

53. With regard to trade unions, the Moroccan Constitution guarantees all citizens the freedom to exercise trade union rights. That freedom is governed by article 9 of the Constitution, which states that all citizens of Morocco have freedom of assembly, freedom of association and freedom to join trade or political organizations of their choice and that the exercise of those rights may only be limited by law.

54. Article 14 of the Dahir of 24 February 1958, which concerns the civil service, grants civil servants the right to join trade unions under the conditions laid down by law. It further provides that the question whether a civil servant belongs or does not belong to a trade union shall be entirely irrelevant to his professional status.

55. The Dahir of 16 July 1957 mentioned above confers freedom to set up trade unions on people who exercise professions of the same nature or whose occupations are closely related. It further grants trade unions the right to form federations or confederations and provides that, in the event of disputes, trade unions may be consulted on all matters within their competence.

56. To ensure trade union democracy, Morocco took action in the very first years of its independence to consolidate the representation of workers at all levels. The Moroccan Constitution underpins the option for democracy by prohibiting a single-party system, by permitting the existence of multiple political, trade union and professional organizations, and by guaranteeing all citizens the freedom to join any political or trade union organization they choose.

57. In the interest of a constructive dialogue among all the social partners, employers' and workers' organizations are represented in the Chamber of Representatives and the National Consultative Councils (e.g. the Higher Council for National Development and Planning, the Consultative Council on Human Rights, the National Council for Youth and the Future), and participate actively in the preparation of Morocco's economic and social development plans. These organizations are also represented on the boards of various social welfare institutions, such as the National Social Security Fund, the National Office for Vocational Training and Employment and mutual organizations, and on national and provincial committees for vocational training and employment.

58. The Government also engages, when it is felt necessary, in a dialogue with all the socio-economic partners. Recently, in January 1993, a further series of meetings between the Government and the socio-economic partners was held to consider various trade union demands. At those meetings, trade union organizations were informed of the creation of six committees, made up of representatives of the Government and socio-economic partners, to revise the Labour Code and promote sectoral collective agreements and to consider matters relating to the National Social Security Fund, medical coverage, welfare and the promotion of foreign trade. This process of dialogue, as an avenue for government-union consultation, should enable most of the grievances contained in the unions' lists of demands to be dealt with.

59. The right to strike is guaranteed by the Moroccan Constitution, article 14 of which provides that "the right to strike shall be guaranteed. An organic law shall specify the conditions and ways in which this right may be exercised". In several other countries, this right is actually restricted for some categories of the public services, such as the security forces and other public officials, because of the special nature of their duties.

Article 9: The right to social security

(1) The situation regarding social security in Morocco

60. The Ministry for Employment's Department of Social Welfare is responsible for implementing social security legislation, monitoring mutual societies, compensating victims of industrial accidents, and promoting specific welfare initiatives for workers and their families.

61. The Dahir defining the status of mutual societies covers this aspect of workers' welfare. A number of important measures are being taken in this area, including broadening the scope of the Dahir defining the status of mutual societies, extending the conditions for mutual societies to other organizations, and diversifying and improving the benefits provided. In 1989, there were 30 mutual societies in Morocco for all sectors combined, with 860,000 members and more than 3 million beneficiaries.

62. The National Social Security Fund provides a number of benefits including family allowances, daily sickness allowances, daily maternity allowances, death benefits and long-term pensions (disability, industrial accidents, survivors, etc.). The level of contributions of employees and employers to the Fund is as follows:

Family allowances: only 10 per cent is paid by the employer. The benefits cover up to six children;

Short-term benefits: 66 per cent, 44 per cent payable by the employer and 22 per cent by the employee;

Long-term benefits: 5.04 per cent, 3.36 per cent payable by the employer and 1.68 per cent by the employee.

63. In the field of occupational medicine, the activities of the services concerned include setting up and equipping industrial health units with the assistance of ILO.

64. In the area of social welfare, the Moroccan authorities are making considerable efforts to improve the economic and social conditions of workers and their families, particularly with regard to housing, transport, nutrition, cultural activities, recreation, etc.

65. In addition to the efforts of the public authorities, the private sector plays a major role in the area of social security. Private social security plans are offered by insurance companies and banks.

(2) Migrant workers

66. Monitoring questions concerning the conditions, recruitment and reception of migrant workers and the protection of their interests is one of the main priorities of the Moroccan Government.

67. The action of the Moroccan authorities in this regard involves maintaining contacts and dialogue with the Governments of host countries, in order to safeguard the interests of migrant workers and improve their situation and that of their families.

68. In 1991, because of the major importance of this question and of the high priority attached by Morocco to its migrant workers and businessmen, it set up the Ministry for the Moroccan Community Abroad and the Hassan II Foundation for social questions concerning Moroccan workers abroad and their families.

Article 10: Protection of the family, mothers and children

(1) Protection of the family

69. As the basic unit of Moroccan society and the component essential to the fundamental order of that society, the family is protected by law, in accordance with the provisions of article 23 of the International Covenant on Civil and Political Rights, to which Morocco is a party. Article 479 of the Moroccan Penal Code imposes "a penalty of imprisonment for one month to one year and/or a fine of 200 to 2,000 dirhams on any father or mother who, except for reasons beyond their control, leaves the family home for more than two months and neglects the moral and material obligations arising out of parental authority, guardianship or custody".

70. As stated in the report submitted by Morocco under the International Covenant on Civil and Political Rights, the Dahir of 22 November 1957 concerning personal status and succession lays down a set of measures applicable to marital relations (CCPR/C/42/Add.10, paras. 83 and 84). The protection and promotion of the family are ensured by the relevant provisions of the Moroccan Penal Code, as described in paragraph 86 of the above-mentioned document.

71. The protection and advancement of the family and children are also ensured by a system of associations working in this field, with the assistance of the public authorities and international governmental and non-governmental organizations (para. 85 of the same document).

(2) Protection of children

72. Legal machinery has been set up for the protection of the child. Under article 466 of the 1962 Moroccan Penal Code, anyone who, for material gain, incites one or both parents to abandon their born or unborn child is liable to one to six months' imprisonment and a fine of 200 to 500 dirhams. Under article 467, any person who causes one or both future parents to sign a document whereby they undertake to abandon an unborn child, or who possesses, makes use of or attempts to make use of such a document, is liable to one to six months' imprisonment or a fine of 200 to 500 dirhams. Moroccan labour

legislation prohibits the employment of minors under 12 years of age (art. 9 of the Dahir of 2 July 1947). Article 724 of the Code of Obligations and Contracts deals with the assistance of minors by persons under whose authority they are placed.

73. For the protection of the health of children, the Moroccan legislature has authorized labour inspectors to request, whenever it is deemed necessary, a public health officer to monitor the medical condition of children from 12 to 16 years old for one year to ensure that the tasks assigned to them are consistent with their physical capabilities (art. 10 of the Dahir of 2 July 1947).

74. Article 11 of the Decree of 8 February 1958 implementing the Dahir of 8 July 1958 concerning the industrial health services made it compulsory for workers under 18 years of age to undergo a six monthly medical examination. The law also entitles them to annual paid leave which is longer than that granted to workers over 18 years of age (art. 3 of the Dahir of 9 January 1946 concerning annual leave).

75. As for working hours, children under 16 years of age may not be employed for more than 10 hours a day. Breaks of not less than one hour are compulsory (art. 72 of the Dahir of 2 July 1947). Article 73 of the same Dahir prohibits the employment of children on shift work. The labour inspectors are responsible for ensuring the observance of these provisions. In addition, the law prohibits the employment of children in dangerous types of work, a list of which is set out in the Decree of 6 September 1957.

76. Another aspect of the protection of children is the vocational training provided to children from 9 to 15 years of age who have left school for one reason or another. In addition to preparing them for the job market, this type of training prevents them from becoming delinquents. Together with the training provided by public institutions in various fields, the law provides for training in private establishments. The Dahir of 16 April 1940 lays down the conditions of the training contract and its performance, including the length of employment after apprenticeship, which must not exceed four times the length of the apprenticeship or under any circumstances extend beyond two years from the date on which training is completed. During that period, the employer is obliged to pay the employee a wage equal to that paid to his colleagues employed in the same profession.

77. In addition to the measures described in the report submitted by Morocco under the International Covenant on Civil and Political Rights, the Moroccan Government is sparing no effort to ensure the social protection of the child. For example, the Moroccan authorities are conducting numerous activities to ensure the proper education of this segment of the population. The basis of this action is the protection of the child, prevention of delinquency, and the solution of problems which might impede the child's development in a stable and harmonious social environment.

78. The Moroccan authorities assume responsibility for abandoned children by placing them in public care centres. The SOS villages provide an edifying example of this. To date, two pilot SOS villages for children are

operational, one at Aitourir in the Marrakesh region and the other at El Hoceima in the north-east. A budget allocation of 15 million dirhams was required to build each of these welfare institutions.

79. While attending the summit of the Heads of State or Government of the countries members of the Security Council in January 1992, His Majesty the King took the opportunity to sign the World Declaration on the Survival, Protection and Development of Children, adopted at the World Summit for Children. Princess Lalla Myriam is the President of the Moroccan UNICEF Association, whose aim is to promote the image of the child and help in finding solutions to problems relating to the health, nutrition, education and legal status of children. In 1992, the Moroccan Government drew up a National Plan of Action for the implementation of the above-mentioned World Declaration.

(3) Protection of maternity

80. As stipulated in article 10 of the Covenant, special protection is accorded to mothers in Morocco during a reasonable period before and after childbirth. In such circumstances, they are granted 12 to 15 weeks paid leave. They are also entitled to one hour of nursing time daily for one year (Dahir of 12 July 1947 laying down regulations governing employment).

81. In the context of mother and child health, the Ministry of Health's Department for the Protection of the Health of Mothers, as part of the reorganization initiated in 1987, set itself the general objective of achieving a satisfactory level of pre-natal and delivery coverage, which it regarded as a decisive factor in the campaign against maternal and perinatal mortality.

82. Development and restructuring activities have focused mainly on the provision, renovation and improvement of reception facilities and health units, the acquisition of technical equipment and the purchase of reactive strips for all areas of medicine to test for urinary sugar and albumin in pregnant women.

83. Vocational training, the equipping of midwife schools and the preparation of pregnancy and delivery guides are other aspects of maternity protection. With the assistance of UNFPA, the Kingdom of Morocco has been able in recent years to carry out its programme for the improvement of mother and child care and family planning by providing mobile units and medical equipment for four medical districts (project MOR 87/PO6).

84. These combined measures have had a number of positive effects, particularly with regard to the number of prenatal visits, which increased from 175,670 in 1988 to 261,877 in 1990. This improvement has been most noticeable in rural areas. The number of post-natal visits has also increased.

Table 1

Pre-natal visits per quarter in 1990/1991

Quarter	Prenatal visits			
	1st visit	2nd visit	3rd visit	Total
4th 1990	19 439	25 101	23 861	68 401
1st 1991	17 664	24 518	24 076	66 258
2nd 1991	20 298	28 022	28 598	76 918
3rd 1991	15 994	22 387	24 327	62 708

Table 2

Postnatal consultations per quarter in 1990/1991

Quarter	Postnatal consultations		
	Home deliveries	Hospital deliveries	Total
4th trim 1990	58 850	34 368	93 218
1st trim 1991	76 562	40 538	117 100
2nd trim 1991	76 210	41 939	118 149
3rd trim 1991	61 849	42 065	103 914

85. However, in order to achieve better results in reducing maternal and perinatal morbidity and mortality, the competent Moroccan authorities are planning to develop maternal health activities by raising the standard of pre-natal monitoring through better training of staff and upgraded pregnancy monitoring procedures, by improving delivery care with better-trained staff and improved reception facilities and by conducting studies and research in the area of the promotion of risk-free maternity.

Article 11: The right to an adequate standard of living

(1) Financial aspects

86. The Moroccan Government's efforts to raise the standard of living of its people include a number of measures, among them the improvement of salaries and wages.

87. In view of the upward trend in prices since 1988, the guaranteed minimum wage has been raised in industry, business and agriculture. The minimum hourly wage of manual and non-manual workers in industry, business and the liberal professions was raised in the space of one year from 5.22 to 6 dirhams and the portion of the daily wage of agricultural workers to be paid in cash has been increased from 27.03 to 31.08 dirhams (1991).

88. In the civil service, phased improvements have been made to the system of allowances, the last one being implemented in 1991.

89. The retirement scheme has also been improved significantly and underwent a major reform in 1990, when the size of pensions was increased substantially by including in the calculation base not only the basic salary, but also the residence allowance and half of the allowances relating to the statutory situation of civil servants.

90. In addition, with the introduction of the general income tax, rates of taxation were reduced for middle incomes and eliminated for incomes of up to 12,000 dirhams a year. The level of non-taxable income was raised to 15,000 dirhams under the 1993 Finance Act.

91. As a general rule, the Moroccan authorities take a number of measures whenever necessary to maintain an adequate standard of living for the Moroccan people. However, an analysis of the behaviour of various sectors of the Moroccan economy reveals that it is highly sensitive to cyclical factors; the external debt is a very heavy burden on public finances and a serious drain on GDP.

92. The impact of these internal and external factors on the Moroccan economy accounts to a large extent for the decline in the standard of living of some segments of the population, despite the efforts of the authorities.

(2) Right to adequate food

93. The fundamental right to freedom from hunger is unquestionably sacrosanct. As an agricultural and maritime country, Morocco is consistently striving to promote agriculture and fisheries, in order to ensure the proper nutrition of its people. The Government also sees to it that there is an adequate and continuous supply of food commodities and controls the prices of staple foodstuffs. It subsidizes some of those foodstuffs and sets the prices of others.

94. Morocco has achieved a significant degree of self-sufficiency, particularly in staple foodstuffs, despite sustained population pressure. Cereal production is sufficient to meet demand entirely, although there is a slight shortfall of soft wheat. Sugar production, which was non-existent when Morocco became independent, now meets almost 60 per cent of domestic needs. Domestic production of vegetable oils now covers 54 per cent of needs, compared with only 49 per cent during the 1960s. As a result of the efforts made, production of dairy products now meets 58 per cent of needs.

95. As stipulated in article 11 of the Covenant, the Moroccan Government is taking steps to improve methods of production, conservation and distribution of food by using various technical and financial means. The authorities help small and medium-scale farmers to overcome the difficulties they encounter in improving productivity. The rescheduling of farm debt in 1992, in the light of the effects of the drought, is one example of this. Very recently, His Majesty the King exempted farmers from all taxes until 2020.

96. The dam-building policy launched on accession to independence was designed not only to promote export crops for the financing of national development, but above all to stabilize production in order to counteract climatic factors and promote the creation of agro-industrial growth poles and the development of rural areas in general. In addition to a number of "hill" dams, 1/ Morocco now has some 34 concrete dams with a total design capacity of approximately 10 billion m^3, 5 billion of which are regulated in normal years for agricultural needs. The area under irrigation has increased from 80,000 hectares (ha) in 1956 to more than 850,000 ha at present, representing almost 85 per cent of the area to be placed under irrigation by the end of the century.

97. In addition to developing irrigation, the Government has reorganized its activities for the promotion of rainfall areas, which are inhabited by the majority of the population and produce the bulk of staple foodstuffs. A number of integrated agricultural development projects have been launched covering an area of some 3 million ha, or almost 38 per cent of usable agricultural land.

98. The cooperative movement model followed by Morocco in agriculture is also helping significantly to improve stability in the supply of foodstuffs.

99. In addition, the principles of nutrition are being publicized through education, the mass media - particularly the press, radio and television - the health and hygiene services, and the agriculture and food services. In spite of these efforts, some degree of nutritional deficiency remains. According to Ministry of Health statistics, 29.7 per cent of children below the age of five suffer from moderate malnutrition (1987 figures).

(3) Monitoring of growth and detecting malnutrition

100. These activities involve mainly the regular weighing of children, or at least those who attend health units on a regular basis. It should be noted that all mother-and-child care health units throughout the country are provided with equipment for weighing and the detection of malnutrition. Population groups who find it difficult to attend health units are served by mobile units. Any child found to be suffering from malnutrition is treated with actamine 5 for two to three months, depending on the degree of malnutrition. The following table shows growth monitoring and malnutrition-detection activities during the fourth quarter of 1990 and the first three quarters of 1991 throughout Morocco.

1/ In Morocco these are rudimentary dams made simply of earth fills.

Table 3

Detention and treatment of malnutrition in 1990/1991

		4th quarter 1990	1st quarter 1991	2nd quarter 1991	3rd quarter 1991
Number of weighings		679 743	816 220	858 366	77 935
Number of malnutrition cases detected	Moderate	35 347	41 457	38 358	35 730
	Serious	1 469	1 177	1 410	1 482
	Total	36 816	42 634	89 768	37 212
Number of recipients of actamine 5		80 131	73 529	67 664	60 668
Actamine 5 used (kg)		148 971.00	140 423.50	179 973.75	152 719.50
Quantity of actamine 5, used per child (kg)		1.86	1.90	2.65	2.51

(4) Right to adequate housing

101. The provision of housing is one of the main social priorities of the Government of Morocco. Since independence, the competent Morocco authorities have worked unstintingly to provide decent housing for all.

102. In the face of soaring population growth and a huge rural exodus, the Government has implemented several building programmes through the Ministry of Housing, which has a number of regional offices throughout the country. It has adopted other measures to promote housing by setting up regional development and construction offices, also located throughout the country. These are responsible for carrying out building projects with the aim of solving the housing problem in a country whose population growth rate is about 2.7 per cent.

103. Since 1985 the national effort has not been limited solely to direct State intervention, which was decisive during the first phase, but has also involved the private sector, which has been offered a number of incentives in conjunction with attractive terms for home financing and loans for people wishing to become home-owners.

104. As far as the State's contribution is concerned, the Ministry of Housing has implemented a huge action programme. The list of the Ministry's achievements in the sphere of property development between 1985 and 1992 reflects the intense and sustained activity of all of its agents. The 243,300 completed units are made up of 197,000 building plots, 40,000 dwellings and 6,300 self contained units for craftsmen, designed to accommodate some 540,000 households. Between 1988 and 1992 the Ministry focused on

starting work on 234,000 units made up of 43,000 dwellings, 178,000 building plots and 13,000 units for craftsmen, which should provide a further 500,000 dwellings once the plots have been built on by the beneficiaries.

105. It should also be mentioned that, in addition to the Ministry of Housing, several other administrative departments, including the Ministry of Religious Endowments, the Ministry of Public Works, the Deposit and Management Fund, and the Military Housing Office, have built a significant number of dwellings.

(5) Measures to deal with shanty towns

106. Between 1985 and 1992, the State made an unprecedented effort to deal with shanty towns, as a result of which the spread of this insalubrious form of housing was halted, as reflected in the 1989 and 1992 censuses. The 1989 census showed that the percentage of the urban population living in shanty towns had fallen sharply, from 13 per cent in 1982 to 7.8 per cent in 1989. The 1992 census, currently being analysed, confirms this continued downward trend (April 1992, 6.78 per cent of urban households).

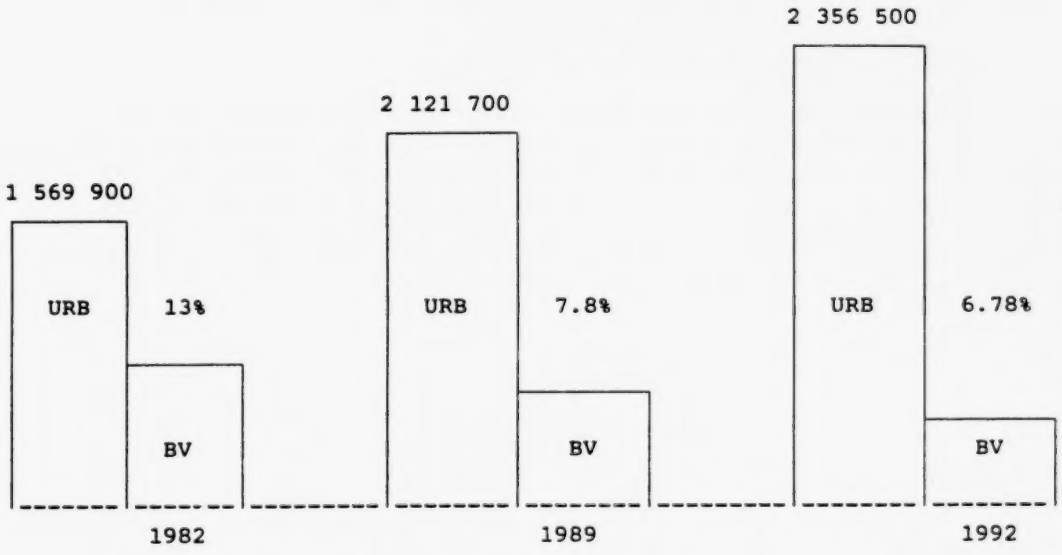
Table 4

The decrease in shanty towns

	1982	1989	1992
(1) Urban households	1 569 900	2 121 700	2 356 500
(2) Households living in shanty towns	204 100	165 500	159 500
(2) as a percentage of (1)	13.0	7.80	6.78

Table 5

Number of households living in shanty towns (BV)
as a percentage of the urban population (URB)



Article 12: The right to physical and mental health

(1) Moroccan health policy

107. Morocco attaches particular importance to public health. The Moroccan Government's health policy basically aims to promote primary health care and the access of all citizens, in particular those living in remote areas, to health care. A further objective is to meet public health care requirements in terms of quantity and quality. The share of the State budget allocated to health is between 4 and 5 per cent.

108. Since 1956, hospital, health centre and dispensary construction projects have been included in all successive development plans. The aim has been to meet the needs of regions and zones, with an infrastructure deficit, and to modernize existing hospitals through renovation, extension or reconstruction.

Table 6

Trends in the basic health and medical-care infrastructure (1960-1991)

Year	1960	1970	1980	1991
Number of establishments	394	783	1 131	1 653
Growth (%)	-	99	44	46
Rural establishments (%)	77	73	72	75
Inhabitants per doctor	11 875	14 637	9 026	4 188
Number of public-hospital beds	15 523	20 309	24 155	28 034

(2) Maternal and child health

109. In order to protect the health of mothers and reduce the infant mortality rate, the Government has initiated several programmes, in particular a vaccination programme comprising major vaccination campaigns through which the health services have achieved around 80 per cent coverage of children under five. Efforts to achieve 100 per cent coverage are continuing. Mention should also be made of the programmes to control malnutrition-related illnesses, the programme to control infant diarrhoea (2,995,005 children treated in 1989), the family-planning programme, the pregnancy and childbirth monitoring programme, the health education programme, and the epidemic communicable disease control programme. In addition, a rickets control programme aims to cover 80 per cent of children under the age of one year by administering two ampoules of vitamin D, the first at birth and the second at about six months. A recent survey showed a significant decline in this disease, which still affects some 3 per cent of children.

110. According to data provided by the Ministry of Health, there has been a marked decline in the infant and child mortality rate. The infant mortality rate (children under one) fell from 91 per 1,000 during the period 1975-1979 to 73.5 per 1,000 in 1982-1987, a decrease of 24 per cent. The rate fell to 57 per 1,000 in 1992. In 1987, surveys carried out by the Ministry of Health found mortality rates of 41 per 1,000 in newborn children, 73.5 per 1,000 in children aged under one, and 102.3 per 1,000 in children aged under five. In 1988, the mortality rate in children aged between one and four was 43.9 per 1,000.

(3) Epidemic and communicable disease control programmes

111. A number of programmes have been initiated to prevent, treat and combat these diseases.

(a) Tuberculosis control programme

112. This was set up during the 1950s and comprises a large-scale BCG vaccination campaign and treatment of patients.

(b) Leprosy control programme

113. This was launched in 1954 and has achieved encouraging results, as incidence has been reduced to 0.8 per 100,000 inhabitants and prevalence to 0.23 per 1,000. However, the problem still exists in certain provinces, where prevalence is higher than 3 per 1,000. There are currently 4,000 chronic sufferers. The programe objectives are to continue combating the disease, to enhance the provision of care and to strengthen its human, material and financial resources. The programme's infrastructure comprises the Central Department of Dermatological Diseases, the National Leprology Centre in Casablanca and 11 regional leprosy departments, two of which were set up in 1990.

(c) AIDS control Programme

114. This was launched in December 1986 through the establishment of the National Committee to combat AIDS and the establishment of the basic infrastructure. The AIDS programme has adopted the following strategy:

Information and awareness;

Information, education and training for personnel;

Involvement of all the departments and services concerned;

Epidemiological monitoring;

Security of blood transfusion, which has been 100 per cent since 1989;

Provision of care for sufferers.

At the present time there is little AIDS in Morocco which is one of the countries virtually unaffected. One hundred cases of HIV infection were recorded as of 31 January 1990, including 45 cases of AIDS, 8 cases of AIDS-related complex (ARC) and 47 cases of asymptomatic infection.

(d) Sexually transmitted diseases (STD) control programme

115. There has been a resurgence of sexually transmitted diseases in Morocco. The control programme is based on information, education and monitoring, and aims to reduce the prevalence and incidence of these diseases in Morocco. International assistance plays a major role in Morocco's efforts to ensure the effective exercise of the right to enjoy the best possible state of health. Morocco cooperates closely with friendly countries and specialized international organizations, including WHO, FAO, IAEA, UNICEF, USAID and UNFPA, which provide appreciable technical assistance and make a considerable contribution to the promotion of programmes to combat epidemic and endemic diseases, which have regressed markedly over the past three decades.

(4) International assistance

116. The assistance provided to the various national services by WHO currently amounts to US$ 2.5 million per biennium as against US$ 500,000 in 1984-1985. The rise in the level of assistance has been accompanied by a diversification of projects, which currently number 44. The contribution by WHO has also made it possible to mobilize funds in support of priority activities, in particular continuing education and efforts to combat AIDS.

117. Cooperation with UNFPA over the five-year period ending in 1991 was characterized by the implementation of five projects focusing on maternal and child health and human resources planning.

118. The assistance provided to Morocco by UNICEF during the five-year period ending 1991 was marked by the completion of seven child-health projects.

119. An overall figure of US$ 12,780,000 has been set aside for the period 1992-1996, as compared with US$ 3,275,000 initially allocated for 1987-1991.

Article 13: The right to education

(1) Moroccan education policy

120. Morocco is convinced of the importance of education and teaching as essential elements in its economic, social and cultural development and the advancement of citizens, and has based its education policy on a number of principles designed to ensure the right of all to education and training, inspired by the provisions of article 13 of its Constitution, which stipulates that all citizens have an equal right to education and to work.

121. The level of investment in the education sector is itself indicative of the sector's pride of place in Moroccan policy. Since 1960, trends in the budget of the Ministry of Education (primary, secondary and university education) within the State budget illustrate the importance attached by Morocco to education: 17 per cent in 1961, 17.5 per cent in 1971, 20.6 per cent in 1981 and 27.7 per cent in 1992. A considerable proportion of the resources are allocated to primary and secondary education: 82 per cent of the budget of the Ministry of Education and 22.8 per cent of the State budget.

122. As stipulated in article 13 of the Covenant, primary education is compulsory and available free to all. Dahir No. 163,071 of 13 November 1963 concerning compulsory education stipulates that education is compulsory for Moroccan children of both sexes between the ages of 7 and 13.

123. In spite of soaring population growth, school attendance by children of school age has increased considerably, from 13 per cent in 1956 to 70 per cent in 1991; in urban areas, school attendance by seven-year-olds was 100 per cent, 90 per cent of them attending State schools. The Government's current target is an attendance rate of 90 per cent among seven-year-olds in

rural areas by 1996. Special attention is given to ensuring that girls attend school. The percentage of girls among primary-school pupils rose from 27 per cent in 1961 to 40.3 per cent in 1991.

(2) Measures taken to ensure full exercise of the right to education

124. The Government of Morocco has initiated a series of measures designed to ensure full exercise of this right. In this connection, the following examples should be mentioned:

The award of grants without any form of distinction;

The award of grants or half-board for pupils who live far from their school;

The widespread introduction of school canteens in rural areas;

The organization of holiday centres, excursions, sporting and artistic events, etc.;

The sending of teachers to teach the children of migrant workers the national language and civilization;

The decentralization of the education system, by providing local and regional administrative bodies with responsibility and human and material resources to enable them effectively to contribute to the development of education.

(3) Developments in primary and secondary education

125. The capacity of the Moroccan education system has been expanded considerably during the past three decades. The number of primary schools thus rose from 1,000 in 1961 to 3,817 in 1992. The number of classes rose over the same period from 15,000 to 88,750. The number of secondary schools rose from 160 to 1,073 and the number of classes from 3,100 to 39,026. In addition, the State recently initiated the construction over four years of 250 schools with canteens and boarding facilities. Completion of the current education programme will enable all children to attend school by the year 2000.

(4) Higher education

126. Higher education, which is free and exempt from any form of university tax, is a right open to all citizens who hold a baccalaureate. Moroccan universities comprise welfare services and cafeterias. Accommodation is provided for a large proportion of students.

127. Since Morocco became independent, the number of students in the first and second stages of university education has risen from 1,819 to 203,465 - a hundredfold increase. These figures clearly illustrate the efforts the State has had to make in terms of buildings, infrastructure, operation, management, etc. Between 1961 and 1991, the number of universities increased

from 1 to 13, the number of faculties from 8 to 50, and the number of university centres from 1 to 20. A total of 250 billion centimes are currently spent on higher education.

128. In view of the scale of the problems posed by this transformation, a process has recently been initiated to adapt the university to its new functions, to integrate it more fully within modern society and to enable it to participate effectively in the national development effort.

(5) Right of choice of educational establishment

129. Parents are free to send their children to public or private establishments. There is no legal provision, regulation or practical obstacle impeding the exercise of this right.

(6) Liberty to establish and direct educational establishments

130. There are a number of laws and regulations governing the founding and management of private educational establishments. Any natural or legal person may found a private school after having secured the authorization of the Ministry of Education. Refusal to grant authorization must be substantiated and notified in writing to the person concerned.

(7) Adult education and literacy

131. Adult education and literacy constitute one of the major tasks of the Ministry of Social Affairs, which is responsible, in accordance with the relevant programmes incorporated in the economic and social development plan, for initiating campaigns for adults (42,000 beneficiaries in 1989). Fifty thousand copies of a literacy textbook, intended for use in education and work centres, were published in 1989.

132. The training of adult education teachers is also of particular importance. Further training for teachers responsible for the implementation of adult education and literacy programmes is provided on an annual basis in the form of refresher courses. In 1989, eight courses were organized for 334 teachers and literacy campaign workers. During International Literacy Year (1990), a national commission was set up to develop a strategy and plan of action designed to eliminate this problem by the year 2000.

Article 15: The right to take part in cultural life

(1) Moroccan cultural policy

133. Chapter 1 of the Moroccan Constitution sets out the fundamental principles of the rights of individuals and groups. Article 9 guarantees, inter alia, freedom to set up associations and to join organizations. The exercise of these rights may only be restricted by law.

134. As a result of its accession to UNESCO and its ratification of the International Covenant on Economic, Social and Cultural Rights (on 3 May 1979)

and of the Cultural Charter for Africa (on 24 October 1979), Morocco has committed itself to promoting culture, combating illiteracy, and guaranteeing cultural rights and freedoms.

135. Morocco has also acceded to several international conventions aimed at promoting culture:

UNESCO Convention on audiovisual methods for pedagogical, scientific and cultural purposes, adopted at Beirut, on 10 December 1949 (date of accession: 3 October 1963);

UNESCO Agreement on the Importation of Educational, Scientific and Cultural Materials, adopted at Florence on 17 June 1950 (date of accession: 3 October 1963);

UNESCO Convention concerning the protection of the world cultural and natural heritage, adopted on 16 November 1972 (date of ratification: 30 August 1975);

Convention for the Protection of Cultural Property in the event of Armed Conflict, adopted at The Hague in May 1954 (date of accession: 30 August 1968);

Customs Convention concerning the facilities to be granted for the importation of goods used in exhibitions or similar events.

136. The National Fund for Cultural Action was set up on 1 January 1983 in the light of the role played by culture in the development of the individual and society and in order to revitalize cultural activity (Dahir No. 1.82.332 of 31 December 1982). The Fund is intended to finance the restoration of historic monuments, the purchase of art works, participation in cultural events organized in Morocco and abroad whose cost is not met by the budget of the Ministry of Cultural Affairs, the production or purchase of cultural films, and the award of prizes to individuals who contribute to cultural activity.

137. In addition, as soon as Morocco became independent, the competent authorities set up an institutional structure to enable everyone to participate in cultural activity. The Ministry of Culture, in conjunction with local communities, is setting up modern cultural centres throughout the country. These centres are a means of promoting the cultural and artistic activity of individuals. Since independence, the Ministry has also set up over 150 public libraries throughout the country, in addition to university, specialized and private libraries.

(2) Protection of the cultural heritage

138. The major objectives of the Ministry of Culture include the protection, maintenance and promotion of the cultural heritage, so as to foster greater knowledge of civilization, and its integration into the overall development process. Since the beginning of the century, a number of cultural centres have been set up; they include the Batha Museum in Fez, The Oudayas Museum in Rabat (1915), the Dar El-Jamai Museum in Meknes and the Casbah Museum in

Tangier (1920). The legal base for these measures were the Dahir of 21 February 1927 establishing and/or organizing museums, monuments and art, the Dahir of 21 July 1945 relating to monuments, historic towns, natural sites, sculpture, artistic works and the protection of the old cities, and Decree No. 80.20 of 25 December 1980 amending the Dahir of 21 July 1945.

(3) Protection of the moral and material interests resulting from any scientific, literary or artistic production

139. Domestic legislation in this sphere is based on the Dahir of 7 October 1932 organizing legal registration, which guarantees intellectual ownership of works registered, and the Dahir of 29 July 1970 concerning the protection of literary and artistic activities. In addition, in order to render this legislation more effective the Penal Code (arts. 575-579) lays down penalties for infringements of the legislation relating to literary or artistic property. The Moroccan Copyright Office, which was set up by the Dahir of 8 March 1965, is responsible for safeguarding intellectual, literary and artistic property.

140. In conjunction with domestic legislation, Morocco has acceded to a number of international conventions concerning the protection of copyright, in particular the Convention establishing the World Intellectual Property Organization (WIPO), the Bern Convention for the Protection of Literary and Artistic Works, as revised in Stockholm, the Geneva Universal Copyright Convention and the Geneva Universal Copyright Convention as revised in Paris.

141. In addition, Morocco spares no effort in encouraging researchers, authors and intellectuals in general. The Ministry of Culture has issued a circular whose purpose is to assist authors and to permit publishers to purchase a substantial proportion of the literary and scientific works published in Morocco. The creation of the Grand Prix du Livre in 1974 and of the Kingdom Academy in 1977 constitutes a striking example of the encouragement given to researchers.

CONCLUSION

142. The Kingdom of Morocco, like many other developing countries, has to face considerable obstacles in implementing a policy aimed at enabling all its citizens without discrimination fully to enjoy the economic, social and cultural rights bestowed upon them by the Covenant. Although the United Nations General Assembly has taken into account the problems connected with the effective implementation of the Covenant in its article 2, paragraph 3, the Government of Morocco, under the sagacious guidance of His Majesty the King, spares no effort in fulfilling its obligations, in particular to promote the progress and well-being of all Moroccans.